

By

Gibson / T. Am

H.B. No. 1116

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of appellate justices and judges and certain district judges and to the election on confirmation of those justices and judges.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 22, Government Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. SELECTION AND CONFIRMATION OF CERTAIN

JUDICIAL OFFICERS

Sec. 22.401. DEFINITION. In this subchapter "commission" means the appellate court commission, a court of appeals commission, or a district court commission.

Sec. 22.402. COMMISSIONS. (a) The following court commissions are created:

(1) the appellate court commission for the supreme court and the court of criminal appeals;

(2) 13 court of appeals commissions, one for each of the court of appeals districts 2-13 and one for court of appeals districts 1 and 14; and

(3) six district court commissions, one each in Bexar, Dallas, El Paso, Harris, Tarrant, and Travis counties.

(b) A commission is composed of 15 citizens of the state who hold no other office of trust or profit under the governments of the United States, the State of Texas, or any other government,

1 appointed as follows:

2 (1) one person licensed to practice law by the supreme
3 court and three persons not licensed to practice law, not all of
4 whom may be of the same political party, appointed by the governor,
5 with the advice and consent of the senate;

6 (2) one person licensed to practice law by the supreme
7 court and two persons not licensed to practice law, not all of whom
8 may be of the same political party, appointed by the lieutenant
9 governor, with the advice and consent of the senate;

10 (3) one person licensed to practice law by the supreme
11 court and two persons not licensed to practice law, not all of whom
12 may be of the same political party, appointed by the speaker of the
13 house of representatives, with the advice and consent of the
14 senate;

15 (4) three persons licensed to practice law by the
16 supreme court, appointed by the president of the state bar, with
17 the advice and consent of the senate; and

18 (5) two persons not licensed to practice law, one each
19 appointed by the chair of each of the state executive committees of
20 the two political parties the gubernatorial nominees of which
21 received the highest number of votes in the general election
22 immediately preceding the appointment, with the advice and consent
23 of the senate.

24 Sec. 22.403. APPOINTMENTS TO COMMISSION. Appointing
25 authorities shall, in addition to meeting the requirements of
26 Section 22.402, make appointments to a commission in a manner that
27 ensures that the commission is representative of the race, sex,

1 national origin, ethnicity, and geographical distribution of the
2 citizens of the state, the court of appeals district, or the
3 county, as applicable. After the appointing process has been
4 completed, the governor shall review the proposed membership of a
5 commission. If the governor determines that the membership of a
6 commission is not representative of the race, sex, national origin,
7 ethnicity, and geographical distribution of the citizens of the
8 state, district, or county, the governor shall convene the
9 appointing authorities in a special meeting to appoint or reappoint
10 persons to the commission to achieve that representation on the
11 commission. Members of the appellate court commission may not be
12 residents of the same county or of the same city. No more than
13 five members of a court of appeals commission may be residents of
14 the same county or of the same city. Each appointing authority may
15 not appoint more than one member who is a resident of a particular
16 county to a court of appeals commission.

17 Sec. 22.404. PREFERENCE OF APPOINTMENTS. If appointees are
18 proposed from the same county or city as prohibited by Section
19 22.403, the proposed appointees of the governor have preference
20 over those of all other appointing authorities, followed by those
21 of the lieutenant governor, those of the speaker of the house of
22 representatives, those of the president of the state bar, that of
23 the chair of the state executive committee of the political party
24 the gubernatorial nominee of which received the highest number of
25 votes in the general election immediately preceding the
26 appointment, and that of the chair of the state executive committee
27 of the political party the gubernatorial nominee of which received

1 the second highest number of votes in the general election
2 immediately preceding the appointment.

3 Sec. 22.405. TERMS OF OFFICE. Members of a commission serve
4 staggered three-year terms. A member who has served two full terms
5 is not eligible for appointment to an additional full or unexpired
6 term. A vacancy on a commission is filled by the original
7 appointing authority for that position for the remainder of the
8 term.

9 Sec. 22.406. CHAIR. The governor shall designate the chair
10 of each commission from its members.

11 Sec. 22.407. MEETINGS; RECORDS. (a) Meetings shall be held
12 at times and places as may be designated by the chair or by any
13 five members of a commission. Meetings of a commission are subject
14 to the open meetings law, Chapter 271, Acts of the 60th
15 Legislature, Regular Session, 1967 (Article 6252-17, Vernon's Texas
16 Civil Statutes).

17 (b) Commission records are subject to the open records law,
18 Chapter 424, Acts of the 63rd Legislature, Regular Session, 1973
19 (Article 6252-17a, Vernon's Texas Civil Statutes).

20 Sec. 22.408. CONFLICTS OF INTEREST; COMMUNICATIONS. (a) A
21 member of a commission shall disclose to all other members of the
22 commission all personal and business relationships with a
23 prospective nominee that may directly or indirectly influence the
24 member's decision. If a substantial conflict of interest is
25 apparent, the member shall disqualify himself from voting on
26 further consideration of any affected prospective nominee, or the
27 commission, by a two-thirds vote of the membership of the

1 commission, may disqualify the member.

2 (b) An individual member who receives a written
3 communication relating to a candidate for judicial office shall
4 forward the communication to all other members of the commission.
5 An individual member shall prepare and forward to all other members
6 a summary of any oral conversations the individual member has
7 concerning any candidate under consideration by the commission.
8 Communications forwarded under this subsection are confidential and
9 may not be disclosed to any person not a member of the commission.
10 A member of the commission may not initiate or receive any
11 communications directly or indirectly with the governor about a
12 candidate for a vacancy before the submission of a final list of
13 nominees to the governor. The governor may not initiate any
14 communication directly or indirectly with any member of a
15 commission concerning a candidate for a judicial vacancy and may
16 not respond to any inquiry by any member of a commission concerning
17 a candidate.

18 Sec. 22.409. RULES. A commission operates pursuant to rules
19 promulgated by the appellate court commission.

20 Sec. 22.410. APPROPRIATIONS. The legislature shall provide
21 the necessary appropriations for operation of the commissions,
22 including any compensation for the members.

23 Sec. 22.411. LIST OF NOMINEES. (a) When a vacancy occurs
24 in the office of a supreme court justice, a court of criminal
25 appeals judge, or a court of appeals justice, or in an office to
26 which Article V, Section 28(c), of the Texas Constitution, applies,
27 or when an incumbent in one of those offices does not file a

1 declaration of candidacy as provided by Section 291.001(a),
2 Election Code, the appellate court commission or the appropriate
3 court of appeals or district court commission shall submit to the
4 governor a list of three nominees eligible to hold the office. A
5 commission shall list the names of the nominees in alphabetical
6 order without comment or ranking.

7 (b) A commission shall hold a public hearing to take public
8 testimony regarding the proposed nominees before it submits the
9 list to the governor and shall submit a record of the hearing with
10 the list.

11 (c) Prospective nominees or third parties may submit names
12 to a commission for nomination, but applications must contain a
13 consent to the appointment and are public information on receipt by
14 the commission.

15 (d) Except as provided by Subsections (e) and (f), the
16 appropriate commission shall submit the list and record to the
17 governor not later than the 60th day after the day a vacancy
18 occurs.

19 (e) If a vacancy occurs because an incumbent has not filed a
20 declaration of candidacy as provided by Section 291.001(a),
21 Election Code, the appropriate commission shall submit the list and
22 record to the governor not later than the 60th day after the date
23 the secretary of state notifies the commission as provided by
24 Section 291.001(c), Election Code.

25 (f) If a vacancy occurs on or after the 155th day before the
26 date of the general election for state and county officers and
27 before the 111th day before that date, the appropriate commission

1 shall submit the list and record to the governor not later than the
2 80th day before the date of that general election. For purposes of
3 this subchapter, a vacancy that occurs on or after the 111th day
4 before the date of the general election for state and county
5 officers occurs after the date of that election.

6 Sec. 22.412. APPOINTMENT BY GOVERNOR. (a) The governor
7 shall appoint a person to fill an existing vacancy, or a vacancy
8 that will exist because an incumbent did not file a declaration of
9 candidacy as provided by Section 291.001(a), Election Code, from
10 the list of nominees submitted to the governor by the appropriate
11 commission to fill that particular vacancy.

12 (b) Except as provided by Subsection (c), the governor shall
13 appoint a person not later than the 30th day after the date the
14 governor receives the list.

15 (c) If the appropriate commission is required under Section
16 22.411(f) to submit a list not later than the 80th day before the
17 date of the general election for state and county officers, the
18 governor shall appoint a person not later than the 15th day after
19 the date the governor receives the list.

20 (d) If a commission does not submit a list and record within
21 the period provided by Section 22.411, the governor may appoint any
22 qualified person. Section 22.414 does not apply to an appointment
23 made under this subsection.

24 Sec. 22.413. FEWER THAN THREE NOMINEES. A commission may
25 submit a list of fewer than three nominees if 12 members of the
26 commission sign a certification that there are not three qualified,
27 eligible nominees for a vacancy. The certification must be a part

1 of the list of nominees submitted to the governor.

2 Sec. 22.414. GOVERNOR DOES NOT APPOINT. (a) If the
3 governor does not make a judicial appointment within the period
4 provided by Section 22.412(b), the lieutenant governor shall make
5 the appointment from the list. If the lieutenant governor does not
6 make the appointment within 15 days after the date the period in
7 which the governor may appoint expires, the speaker of the house of
8 representatives shall make the appointment from the list. If the
9 speaker does not make the appointment within 15 days after the date
10 the period in which the lieutenant governor may appoint expires,
11 the commission shall by two-thirds vote of its membership make the
12 appointment. Appointments are made with the advice and consent of
13 the senate in the manner provided by Article IV, Section 12, of the
14 Texas Constitution.

15 (b) If the governor does not make a judicial appointment
16 within the 15-day period provided by Section 22.412(c), the list is
17 invalid and, for purposes of this subchapter, the vacancy occurs
18 after the date of the general election.

19 Sec. 22.415. COMMISSION MEMBER INELIGIBLE. A member of the
20 commission is not eligible for appointment to a state judicial
21 office during the term for which appointed and for three years
22 after the date the term expires.

23 Sec. 22.416. SUBJECT TO CONFIRMATION ELECTION. (a) Except
24 as provided by Subsection (b), a justice or judge appointed to an
25 initial term as provided by this subchapter is subject to
26 confirmation or rejection for a term on a nonpartisan ballot at the
27 first general election for state and county officers held after the

1 date the oath of office is taken. The initial term expires January
2 1 following the general election at which the judge or justice is
3 subject to confirmation or rejection.

4 (b) A justice or judge appointed to fill a vacancy created
5 by an incumbent who has not filed the declaration required by
6 Section 291.001(a), Election Code, is subject to confirmation or
7 rejection on a nonpartisan ballot at the last general election held
8 before the incumbent's term of office expires. If an appellate
9 justice or judge is confirmed, the justice or judge, unless removed
10 as provided by law, serves a regular six-year term beginning
11 January 1 following the confirmation election. If a district judge
12 is confirmed, the judge, unless removed as provided by law, serves
13 a regular four-year term beginning January 1 following the
14 confirmation election.

15 Sec. 22.417. EFFECT OF ELECTION. If a majority of those
16 voting on the question vote against the confirmation of the justice
17 or judge, a vacancy in the office exists on the first day of the
18 following January, and the vacancy shall be filled in the manner
19 provided by this subchapter. If a majority of those voting on the
20 question vote for the confirmation of the justice or judge, the
21 person unless removed as provided by law remains in office for the
22 unexpired term, or for a regular term of six years for an appellate
23 justice or judge and four years for a district judge, beginning on
24 the first day of the following January. If a deceased candidate
25 receives the necessary votes for confirmation, the vacancy shall be
26 filled as in the case of a vacancy occurring after the election.

27 SECTION 2. The Election Code is amended by adding Title 17

1 to read as follows:

2 TITLE 17. ELECTION ON CONFIRMATION OF APPELLATE
3 JUSTICES AND JUDGES AND CERTAIN DISTRICT JUDGES

4 CHAPTER 291. ELECTION ON CONFIRMATION OF
5 APPELLATE JUSTICES AND JUDGES AND CERTAIN DISTRICT JUDGES

6 Sec. 291.001. DECLARATION OF CANDIDACY. (a) Not later than
7 6 p.m. on January 2 preceding the last general election for state
8 and county officers before the expiration of the term of office,
9 each justice of the supreme court, judge of the court of criminal
10 appeals, justice of a court of appeals, and judge of a district
11 court to which Article V, Section 28(c), of the Texas Constitution,
12 applies who desires to continue to serve in that office must file
13 with the secretary of state a declaration of candidacy to succeed
14 himself. A declaration may not be filed earlier than the 30th day
15 before the date of the filing deadline.

16 (b) If a declaration of candidacy is not filed for a
17 particular office, the office becomes vacant on the expiration of
18 the current term of office.

19 (c) Not later than the 10th day after the date of the filing
20 deadline for declarations of candidacy under Subsection (a), the
21 secretary of state shall notify the governor and the appellate
22 court commission, the appropriate court of appeals commission, or
23 the appropriate district court commission of each office for which
24 the term is to expire and for which a declaration of candidacy has
25 not been filed by the incumbent.

26 Sec. 291.002. CONFIRMATION BALLOT. The name of the person
27 subject to confirmation shall be submitted to the voters by

1 separate ballot or on the general election ballot, if convenient,
2 without party designation and under the heading "Nonpartisan
3 Judicial Offices," in substantially the following form:

4 "Shall Justice (Judge)_____

5 _____
6 be confirmed in office as justice (judge) of the
7 _____ Court?"

8 _____ "Yes"

9 _____ "No"

10 Sec. 291.003. GENERAL PROCEDURE FOR CONDUCT OF CONFIRMATION
11 ELECTION. (a) Except as otherwise provided by this code, the
12 nonpartisan judicial confirmation election shall be conducted and
13 the results canvassed, tabulated, and reported in the manner
14 applicable to partisan offices in the general election for state
15 and county officers.

16 (b) Certificates of election shall be issued to the
17 confirmed officers in the same manner as provided for candidates
18 elected to partisan offices.

19 Sec. 291.004. CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. A
20 candidate for confirmation of a judicial office is subject to Title
21 15 and shall comply with that title in the same manner as a
22 candidate for a statewide or district partisan office, as
23 applicable.

24 Sec. 291.005. APPLICABILITY OF OTHER PARTS OF CODE. The
25 other titles of this code apply to a nonpartisan judicial
26 confirmation election except provisions that are inconsistent with
27 this title or that cannot feasibly be applied in a nonpartisan

1 judicial confirmation election.

2 Sec. 291.006. ADDITIONAL PROCEDURES. The secretary of state
3 shall prescribe any additional procedures necessary for the orderly
4 and proper administration of nonpartisan judicial confirmation
5 elections.

6 SECTION 3. Section 1.005(9), Election Code, is amended to
7 read as follows:

8 (9) "Independent candidate" means a candidate in a
9 nonpartisan election, other than a nonpartisan judicial
10 confirmation election, or a candidate in a partisan election who is
11 not the nominee of a political party.

12 SECTION 4. Section 41.002, Election Code, is amended to read
13 as follows:

14 Sec. 41.002. GENERAL ELECTION FOR STATE AND COUNTY OFFICERS.
15 The general election for state and county officers, including the
16 nonpartisan judicial confirmation election, shall be held on the
17 first Tuesday after the first Monday in November in even-numbered
18 years.

19 SECTION 5. Section 52.092, Election Code, is amended to read
20 as follows:

21 Sec. 52.092. OFFICES REGULARLY FILLED AT GENERAL ELECTION
22 FOR STATE AND COUNTY OFFICERS. (a) For an election at which
23 offices regularly filled at the general election for state and
24 county officers, including the nonpartisan judicial confirmation
25 election, are to appear on the ballot, the offices shall be listed
26 in the following order:

27 (1) offices of the federal government;

1 (2) offices of the state government:
 2 (A) statewide offices;
 3 (B) district offices;
 4 (3) offices of the county government:
 5 (A) county offices;
 6 (B) precinct offices.
 7 (b) Offices of the federal government shall be listed in the
 8 following order:
 9 (1) president and vice-president of the United States;
 10 (2) United States senator;
 11 (3) United States representative.
 12 (c) Statewide offices of the state government shall be
 13 listed in the following order:
 14 (1) governor;
 15 (2) lieutenant governor;
 16 (3) attorney general;
 17 (4) comptroller of public accounts;
 18 (5) state treasurer;
 19 (6) commissioner of the General Land Office;
 20 (7) commissioner of agriculture;
 21 (8) railroad commissioner[;
 22 [~~{9}~~--chief-justice,-supreme-court,
 23 [~~{10}~~--justice,-supreme-court,
 24 [~~{11}~~--presiding-judge,-court-of-criminal-appeals,
 25 [~~{12}~~--judge,-court-of-criminal-appeals].
 26 (d) District offices of the state government shall be listed
 27 in the following order:

- 1 (1) member, State Board of Education;
- 2 (2) state senator;
- 3 (3) state representative;
- 4 (4) [~~chief-justice, court-of-appeals,~~
- 5 [~~{5}--justice, court-of-appeals,~~
- 6 [~~{6}~~] district judge for a district to which Article
- 7 V, Section 28(c), of the Texas Constitution does not apply;
- 8 (5) [~~{7}~~] criminal district judge for a district to
- 9 which Article V, Section 28(c), of the Texas Constitution does not
- 10 apply;
- 11 (6) [~~{8}~~] family district judge for a district to
- 12 which Article V, Section 28(c), of the Texas Constitution does not
- 13 apply;
- 14 (7) [~~{9}~~] district attorney;
- 15 (8) [~~{10}~~] criminal district attorney.
- 16 (e) County offices shall be listed in the following order:
- 17 (1) county judge;
- 18 (2) judge, county court at law;
- 19 (3) judge, county criminal court;
- 20 (4) judge, county probate court;
- 21 (5) county attorney;
- 22 (6) district clerk;
- 23 (7) district and county clerk;
- 24 (8) county clerk;
- 25 (9) sheriff;
- 26 (10) sheriff and tax assessor-collector;
- 27 (11) county tax assessor-collector;

- 1 (12) county treasurer;
- 2 (13) county school trustee (county with population of
- 3 two million or more);
- 4 (14) county surveyor;
- 5 (15) inspector of hides and animals.

6 (f) Precinct offices shall be listed in the following order:

- 7 (1) county commissioner;
- 8 (2) justice of the peace;
- 9 (3) constable;
- 10 (4) public weigher.

11 (g) The nonpartisan judicial offices shall be listed in the

12 following order:

- 13 (1) chief justice, supreme court;
- 14 (2) justice, supreme court;
- 15 (3) presiding judge, court of criminal appeals;
- 16 (4) judge, court of criminal appeals;
- 17 (5) chief justice, court of appeals;
- 18 (6) justice, court of appeals;
- 19 (7) district judge for a district to which Article V,
- 20 Section 28(c), of the Texas Constitution applies;
- 21 (8) criminal district judge for a district to which
- 22 Article V, Section 28(c), of the Texas Constitution applies;
- 23 (9) family district judge for a district to which
- 24 Article V, Section 28(c), of the Texas Constitution applies.

25 (h) If two or more offices having the same title except for

26 a place number or other distinguishing number are to appear on the

27 ballot, the number shall appear as part of the office title and the

1 offices shall be listed in numerical order.

2 (i) [(h)] The secretary of state shall assign a place number
3 to each position for which a confirmation [te--be--filled--at--the
4 general] election is being held [fer-state-and-county-officers] for
5 each full or unexpired term in the following offices:

6 (1) justice, supreme court;

7 (2) judge, court of criminal appeals; and

8 (3) justice, court of appeals in a court having a
9 membership in excess of three, if distinguishing the positions to
10 be filled is necessary.

11 (j) [(i)] The secretary of state shall designate the
12 position of new offices on the ballot.

13 SECTION 6. Section 145.003(b), Election Code, is amended to
14 read as follows:

15 (b) A candidate in the general election for state and county
16 officers, including the nonpartisan judicial confirmation election,
17 may be declared ineligible before the 30th day preceding election
18 day by:

19 (1) the party officer responsible for certifying the
20 candidate's name for placement on the general election ballot, in
21 the case of a candidate who is a political party's nominee; or

22 (2) the authority with whom the candidate's
23 application for a place on the ballot or declaration of candidacy
24 is required to be filed, in the case of an independent candidate or
25 a candidate in a nonpartisan judicial confirmation election, as
26 applicable.

27 SECTION 7. Section 172.024(a), Election Code, is amended to

1 read as follows:

2 (a) The filing fee for a candidate for nomination in the
3 general primary election is as follows:

4 (1) United States senator \$4,000

5 (2) office elected statewide, except United States
6 senator 3,000

7 (3) United States representative 2,500

8 (4) state senator 1,000

9 (5) state representative 600

10 (6) member, State Board of Education 250

11 (7) [~~chief--justice--or--justice,--court--of--appeals,~~
12 ~~other-----than---a--justice-----specified---by-~~
13 ~~Subdivision-(8)-----1,500~~

14 [~~(8)--chief-justice-or-justice-of--a--court--of--appeals~~
15 ~~that--serves-a-court-of-appeals-district-in-which~~
16 ~~a-county-with-a-population-of-more-than-2,400,000~~
17 ~~is-wholly-or-partly-situated-----2,000~~

18 [~~(9)~~] district judge or judge specified by Section
19 52.092(d) for which this schedule does not
20 otherwise prescribe a fee 1,200

21 [~~(10)--district--or--criminal--district---judge---of---a~~
22 ~~court---in-a-judicial-district--wholly--contained~~
23 ~~in-a-county---with--a-----population--of----more~~
24 ~~than-2,400,000-----2,000]~~

25 (8) [~~(11)~~] judge, statutory county court, other
26 than a judge specified by Subdivision

27 (9) [~~(12)~~] 1,200

- (9) [~~12~~] judge of a statutory county court in a county with a population of more than 2,400,000 2,000
- (10) [~~13~~] district attorney, criminal district attorney, or county attorney performing the duties of a district attorney 1,000
- (11) [~~14~~] county commissioner or judge, constitutional county court:
 - (A) county with a population of 200,000 or more 1,000
 - (B) county with a population of under 200,000 600
- (12) [~~15~~] justice of the peace or constable:
 - (A) county with a population of 200,000 or more 800
 - (B) county with a population of under 200,000 300
- (13) [~~16~~] county surveyor, inspector of hides and animals, or public weigher 50
- (14) [~~17~~] office of the county government for which this schedule does not otherwise prescribe a fee 600

SECTION 8. TEMPORARY PROVISIONS. (a) This Act takes effect only if the constitutional amendment proposed by the 71st Legislature, Regular Session, 1989, relating to the appointment of appellate justices and judges and certain district judges by the governor and to confirmation elections on a nonpartisan ballot of

1 those justices and judges is adopted. If the amendment is adopted,
2 this Act takes effect January 1, 1991.

3 (b) The initial members of the commissions created by this
4 Act shall be appointed for terms beginning January 1, 1991. In
5 making the initial appointments, the governor, lieutenant governor,
6 speaker of the house of representatives, president of the state
7 bar, and chairs of the political parties shall act together as a
8 selection committee to ensure compliance with Subchapter E, Chapter
9 22, Government Code, as added by this Act.

10 (1) The following persons serve initial one-year
11 terms:

12 (A) one person licensed to practice law
13 appointed by the governor;

14 (B) one person not licensed to practice law
15 appointed by the governor;

16 (C) one person licensed to practice law
17 appointed by the lieutenant governor;

18 (D) one person not licensed to practice law
19 appointed by the speaker of the house; and

20 (E) one person appointed by the president of the
21 state bar.

22 (2) The following persons serve initial two-year
23 terms:

24 (A) two persons not licensed to practice law
25 appointed by the governor;

26 (B) one person not licensed to practice law
27 appointed by the lieutenant governor;

1 (C) one person licensed to practice law
2 appointed by the speaker of the house; and

3 (D) one person appointed by the president of the
4 state bar.

5 (3) The following persons serve initial three-year
6 terms:

7 (A) one person not licensed to practice law
8 appointed by the lieutenant governor;

9 (B) one person not licensed to practice law
10 appointed by the speaker of the house;

11 (C) one person appointed by the president of the
12 state bar; and

13 (D) two persons appointed one each by the chairs
14 of the political parties entitled to make appointments under
15 Subchapter E, Chapter 22, Government Code, as added by this Act.

16 SECTION 9. The importance of this legislation and the
17 crowded condition of the calendars in both houses create an
18 emergency and an imperative public necessity that the
19 constitutional rule requiring bills to be read on three several
20 days in each house be suspended, and this rule is hereby suspended.

H. B. No.

1116

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of appellate justices and judges and certain district judges and to the election on confirmation of those justices and judges.

FEB 15 1989

1. Filed with the Chief Clerk.

FEB 28 1989

2. Read first time and Referred to Committee on

Judicial Affairs

3. Reported _____ favorably (as amended) and sent to Printer at _____
(as substituted)

4. Printed and distributed at _____

5. Sent to Committee on Calendars at _____

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote)
(Record Vote of _____ years, _____ nays, _____
present, not voting).

7. Motion to reconsider and table the vote by which H.B. _____ was ordered
engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ years,
_____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed
to suspend) by a four-fifths vote of _____ years, _____ nays, and _____
present, not voting).

By

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9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote
of _____ years, _____ nays, _____ present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed
prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ years, _____
nays, and _____ present, not voting).

12. Ordered Engrossed at _____

13. Engrossed.

14. Returned to Chief Clerk at _____

15. Sent to Senate.

Chief Clerk of the House

16. Received from the House

17. Read, referred to Committee on _____

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read
first time.

20. Ordered not printed.

21. Regular order of business suspended by
(a viva voce vote.)
(_____ years, _____ nays.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules
suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

OTHER ACTION:

Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments,
(as substituted.)

_____ 29. House (Concurred) (Refused to Concur) in Senate (Amendments)
(Substitute) by a (Non-Record
Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____